

United States Postal Service

§ 262.2

§ 261.1 Purpose and scope.

As a result of the Postal Reorganization Act, 39 U.S.C. 410, the U.S. Postal Service is no longer subject to the provisions of the Federal Records Act of 1950, or any of its supporting regulations which provide for the conduct of records management in Federal agencies. The objective of Parts 261 through 268 is to provide the basis for a Postal Service-wide records and information management program affecting all organizational components having the custody of any form of information and records.

[40 FR 45721, Oct. 2, 1975; 40 FR 48511, Oct. 16, 1975]

§ 261.2 Authority.

(a) 39 U.S.C. 401(5) states that the Postal Service has the power to acquire property it deems necessary or convenient in the transaction of its business and to hold, maintain, sell, lease or otherwise dispose of such property.

(b) 39 CFR 262.2 assigns to the Postal Service Records Office, located under the Privacy Office responsibility for the retention, security, and privacy of Postal Service records and the power to authorize the disclosure of such records and to order their disposal by destruction or transfer. Included is the authority to issue records management policy and to delegate or take appropriate action if that policy is not adhered to or if questions of interpretation of procedure arise.

[40 FR 45721, Oct. 2, 1975, as amended at 44 FR 51223, Aug. 31, 1979; 60 FR 57344, Nov. 15, 1995; 68 FR 56558, Oct. 1, 2003]

§ 261.3 Policy.

It is the policy of the Postal Service:

(a) To, as appropriate, create, preserve, protect and disclose records which contain adequate and proper documentation of the organization, functions, policies, decisions, operations, procedures, activities and transactions of the Postal Service,

(b) To reduce to an absolute minimum the records holdings of the Postal Service by strict adherence to established records retention schedules.

[40 FR 45721, Oct. 2, 1975, as amended at 44 FR 51223, Aug. 31, 1979]

§ 261.4 Responsibility.

(a) The Manager, Records Office, under the Privacy Office, administers the Postal Service release of information and privacy of information programs with the assistance of FOIA coordinators in the Consumer Affairs function of area and district offices.

(b) The Chief Privacy Officer, under the Vice President and Consumer Advocate, is responsible for administering records and information management policies and for the compliance of all handbooks, directives, and instructions in support of this policy.

(c) Postal Service managers are responsible for administering records and information management policies and for complying with all handbooks, directives, and instructions in support of this policy.

[64 FR 41290, July 30, 1999, as amended at 68 FR 56558, Oct 1, 2003]

PART 262—RECORDS AND INFORMATION MANAGEMENT DEFINITIONS

Sec.

262.1 Purpose and scope.

262.2 Officials.

262.3 Information.

262.4 Records.

262.5 Systems (Privacy).

262.6 Retention and disposal.

262.7 Non-records.

AUTHORITY: 5 U.S.C. 552, 552a; 39 U.S.C. 401.

SOURCE: 49 FR 30693, Aug. 1, 1984, unless otherwise noted.

§ 262.1 Purpose and scope.

This part contains the official definition of those basic records and information management terms that are frequently used throughout Postal Service regulations and directives.

§ 262.2 Officials.

(a) *Chief Privacy Officer.* The Chief Privacy Officer (CPO) is responsible for the issuance of policy on the protection of privacy and the release of Postal Service records with the power to authorize the disclosure of such records and to delegate or take appropriate action if that policy is not adhered to or

§ 262.3

39 CFR Ch. I (7–1–04 Edition)

if questions of interpretation or procedure arise. The CPO directs the activities of the Privacy Office and the Records Office.

(b) *Manager, Records Office.* The Manager, Records Office, manages the Records Office, and is responsible for establishing procedures and guidelines to ensure that record management practices are in compliance with the Privacy Act and FOIA. The Manager, Records Office, may also delegate or take appropriate action if policies are not adhered to or if questions of interpretation or procedures arise.

(c) *Records Custodian.* The postmaster or other head of a facility such as an area vice president, district manager, or head of a postal installation or department who maintains Postal Service records. Vice presidents are the custodians of records maintained at Headquarters. Senior medical personnel are the custodians of restricted medical records maintained within postal facilities.

(d) *Information System Executive.* The Postal Service official who prescribes the existence of and the policies for an information system; usually this is a Vice President.

(e) *Records Office.* The Records Office is responsible for the issuance of policy on the maintenance and disposition of Postal Service records and information, and to delegate or take appropriate action if such policy is not adhered to or if questions of interpretation or procedure arise.

[49 FR 30693, Aug. 1, 1984, as amended at 51 FR 26385, July 23, 1986; 60 FR 57344, Nov. 15, 1995; 63 FR 6481, Feb. 9, 1998; 64 FR 41290, July 30, 1999; 68 FR 56558, Oct. 1, 2003]

§ 262.3 Information.

Data combined with the knowledge of its context and having the potential to serve a Postal Service use.

(a) *Sensitive information.* Information which has been identified by the USPS as *restricted* or *critical*.

(1) *Critical information.* Information that must be available in order that the Postal Service effectively perform its mission and meet legally assigned responsibilities; and for which special precautions are taken to ensure its accuracy, relevance, timeliness and completeness. This information, if lost,

would cause significant financial loss, inconvenience or delay in performance of the USPS mission.

(2) *Restricted information.* Information that has limitations placed upon both its access within the Postal Service and disclosure outside the Postal Service consistent with the Privacy and Freedom of Information Acts.

(i) *Restricted mandatory.* Information that has limitations upon its internal access and that may be disclosed *only* in accordance with an Executive Order, public law, or other Federal statute and their supporting postal regulations.

(ii) *Restricted discretionary.* Information that has limitations upon its internal access and that *may* be withheld from external disclosure solely in accordance with postal regulations, consistent with the Freedom of Information Act.

(b) *Classified information (National Security).* Information about the national defense and foreign relations of the United States that has been determined under Executive Order 12356 to require protection against unauthorized disclosure and has been so designated.

§ 262.4 Records.

Recorded information, regardless of media, format, or physical characteristics, including electronic data, developed or received by the Postal Service in connection with the transaction of its business and retained in its custody; for machine-readable records, a collection of logically related data treated as a unit.

(a) *Permanent record.* A record determined by the Records Office or the National Archives and Records Administration as having sufficient historical or other value to warrant continued preservation. (All other records are considered temporary and must be scheduled for disposal.)

(b) *Corporate records.* Those records series that are designated by the Records Office as containing information of legal, audit, obligatory or archival value about events and transactions of interest to the entire corporate body of the Postal Service. Corporate records are distinguished from operational records, which have value